



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/550,821

08/11/2006

Milton Thompson

66221-0054

1862

60333

7590

09/26/2011

EDWIN D. SCHINDLER

4 HIGH OAKS COURT

P.O. BOX 4259

HUNTINGTON, NY 11743-0777

EXAMINER

SMALL, NAOMI J

ART UNIT

PAPER NUMBER

2612

MAIL DATE

DELIVERY MODE

09/26/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/550,821	Applicant(s) THOMPSON, MILTON
	Examiner NAOMI SMALL	Art Unit 2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2011.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 31,38-41 and 43-60 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 31,38-41 and 43-60 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 16 June 2011 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____. | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) <input type="checkbox"/> Notice of Informal Patent Application
6) <input type="checkbox"/> Other: _____. |
|--|--|

Art Unit: 2612

DETAILED ACTION

Response to Amendment

This Office Action is in response to communications filed June 16, 2011. Claims 32-37 and 42 have been cancelled. Claims 31, 38-41, and 43-60 have been amended. Claims 31, 38-41 and 43-60 are currently pending.

Drawings

All objections drawn towards the drawings have been overcome by Applicant.

Specification

All objections drawn towards the specification have been overcome by Applicant.

Claim Rejections - 35 USC § 112

All § 112 rejections have been overcome by Applicant.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2612

1. Claims 31, 43, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schreyer et al. (Schreyer; US Pub No. 2003/0083044 A1) in view of Searle et al. (Searle; UK Pat. App. GB 2 359 890 A).

As per claim 31, Schreyer teaches an ~~authorisation~~ authorization system for permitting an apparatus functional under the control of an operator to function normally only in the presence of an ~~authorised~~ authorized user (paragraph [0011], lines 1-11), comprising complementary parts of wireless communication means (paragraph [0014], lines 1-7 & paragraph [0017], lines 1-2) arranged to be carried in operation by the apparatus (paragraph [0011], lines 7-9) and an ~~authorised~~ authorized user of the apparatus (paragraph [0011], lines 4-5) and operable to effect, with a spatial envelope defining a predetermined permissible working relationship between the ~~authorised~~ authorized user and the apparatus (paragraph [0011], lines 1-11), a communication link defined by continual transfer with reference to a temporal envelope of identifying information pairing the ~~authorised~~ authorized user and the apparatus (paragraph [0011], lines 5-7 & paragraph [0015], lines 1-4), said communication means being responsive to existence of said communication link to effect ~~authorisation~~ authorization of the apparatus permitting ~~it to function normally~~ normal functioning of the apparatus under said operator control and to cessation of ~~an existing link to functioning apparatus to inhibit normal functioning of the apparatus after a delaying~~ said communication link for inhibiting normal functioning of the apparatus (paragraph [0011], lines 1-11) after a delay interval representative of extended absence of the ~~authorised~~ authorized user from the apparatus (paragraph [0028], lines 1-8), wherein the apparatus is a movable apparatus susceptible to being taken from possession of the authorized user while functioning (paragraph [0027], lines 1-4)... and said communication

Art Unit: 2612

means being operable for effecting the delay interval as a function of distance travelled by the apparatus (paragraph [0027] & [0028]).

Schreyer does not expressly teach the apparatus or the communication means including means for measuring distance travelled... said means for measuring distance comprises acceleration responsive means having pedometer means carried by the authorized user and the apparatus and responsive to movement of the apparatus for effecting determination of distance travelled by the apparatus... said pedometer means being operable for recognizing movement steps of a carrier of the apparatus and for computing from a number of recognized steps at least an approximate distance travelled by the apparatus.

Searle teaches the apparatus or the communication means including means for measuring distance travelled (pg. 8, lines 11-12: "... the characteristic motion detector counts the number of steps taken by the guard and can use this to infer the distance travelled by the box.")... said means for measuring distance comprises acceleration responsive means (pg. 8, lines 20-27) having pedometer means carried by the authorized user and the apparatus and responsive to movement of the apparatus for effecting determination of distance travelled by the apparatus (pg. 8, lines 11-12: "... the characteristic motion detector counts the number of steps taken by the guard and can use this to infer the distance travelled by the box.")... said pedometer means being operable for recognizing movement steps of a carrier of the apparatus and for computing from a number of recognized steps at least an approximate distance travelled by the apparatus (pg. 8, lines 11-12: "... the characteristic motion detector counts the number of steps taken by the guard and can use this to infer the distance travelled by the box.")

Art Unit: 2612

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the security system for portable devices of Schreyer with the components necessary to implement a distance measuring and movement detection device, as taught by Searle.

The motivation would be to improve the security system for portable devices of Schreyer with the reasonable expectation that it would result in the ability of an authorized user to determine the approximate location of their stolen device.

As per claim 43, Schreyer in view of Searle further teaches *an ~~authorisation~~ authorization system as claimed in claim 31 adapted for use with apparatus in which operation of the apparatus is initiated by the operator prior to effecting control of functioning thereof, ~~characterised in that~~ wherein the apparatus part is responsive to initiation of operation of the apparatus by the operator to initiate establishment of the communication link prior to, or contemporaneously with, functioning of the apparatus* (Schreyer, paragraph [0025], lines 4-11 & paragraph [0026], lines 1-5).

As per claim 44, Schreyer in view of Searle further teaches *an ~~authorisation~~ authorization system as claimed in claim 31 in which the communication means comprises user transmission means carried by the user part* (Schreyer, paragraph [0029], lines 1-3) *and apparatus reception means carried by the apparatus part* (Schreyer, paragraph [0024], lines 2-3), *having therein means to produce an identity reference unique to the pair* (Schreyer, paragraph [0025], lines 4-11 & paragraph [0026], lines 1-5), *the user transmission means being operable to transmit radiation modulated in accordance with said identity reference* (Schreyer, paragraph [0026], lines 1-5) *and the apparatus reception means being responsive to receipt of*

Art Unit: 2612

said modulated radiation to confirm by transfer of identifying information including said identity reference existence of a communication link between them (Schreyer, paragraph [0026], lines 5-10).

2. Claims 38-41, 50-52, 57 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schreyer in view of Searle as applied to claim 31 above, and further in view of Winner, Jr. et al. (Winner; US Patent No. 6,400,042 B1).

As per claim 38, Schreyer in view of Searle teaches *an ~~authorisation~~ authorization system as claimed in claim 31.*

Schreyer in view of Searle does not expressly teach *wherein the apparatus is embodied in a vehicle having a cab and an engine, said cab being normally occupied by a driver, and wherein the spatial envelope is substantially co-extensive with the cab, and the apparatus part is arranged to form a communication link with a user part carried by the driver and to be operably coupled to the vehicle engine to ~~authorise~~ authorize or inhibit functioning of the vehicle engine by the driver.*

Winner teaches *wherein the apparatus is embodied in a vehicle having a cab and an engine (col. 1, lines 57-60), said cab being normally occupied by a driver (col. 2, lines 1-2), and wherein the spatial envelope is substantially co-extensive with the cab (col. 7, lines 3-4), and the apparatus part is arranged to form a communication link with a user part carried by the driver (col. 6, lines 63-64) and to be operably coupled to the vehicle engine to ~~authorise~~ authorize or inhibit functioning of the vehicle engine by the driver (col. 7, lines 6-28).*

Art Unit: 2612

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the security system of Schreyer in view of Searle with the components necessary to implement the system within a motor vehicle, as taught by Winner.

The motivation would be with the reasonable expectation that it would result in enabling a vehicle owner to reduce the possibility of the permanent loss of their vehicle in the event of a carjacking.

As per claim 39, Schreyer in view of Searle, and further in view of Winner, further teaches an ~~authorisation~~ authorization system as claimed in claim 38 wherein the apparatus or the communication means is arranged to be operably coupled to the vehicle engine to ~~authorise~~ authorize the vehicle to travel at any speed demanded by the driver or to inhibit the vehicle from travelling in excess of a speed set by the system at the end of the delaying interval (Winner, col. 12, lines 50-63).

As per claim 40, Schreyer in view of Searle, and further in view of Winner, further teaches an ~~authorisation~~ authorization system as claimed in claim 39 in which the apparatus or communication means part includes means for deriving a speed function related to any speed achieved during the delaying interval (Winner, col. 4, lines 32-42) and at the end of the delaying interval to inhibit the vehicle from exceeding a speed that is a fraction of any speed represented by said speed function (Winner, col. 3, line 67 – col. 4, line 10).

As per claim 41, Schreyer in view of Searle teaches an ~~authorisation~~ authorization system as claimed in claim 31 adapted for permitting use of apparatus.

Schreyer in view of Searle does not expressly teach a vehicle having its engine supplied with fuel by way of a fuel delivery system and the apparatus part of the system is arranged to be

Art Unit: 2612

operably coupled to the vehicle to ~~authorise~~authorize or inhibit delivery of fuel to the engine and to effect said inhibition of normal functioning after a said delaying interval by progressively reducing the delivery of fuel to the engine during said interval.

Winner teaches a vehicle having its engine supplied with fuel by way of a fuel delivery system and the apparatus part of the system is arranged to be operably coupled to the vehicle to ~~authorise~~authorize or inhibit delivery of fuel to the engine and to effect said inhibition of normal functioning after a said delaying interval by progressively reducing the delivery of fuel to the engine during said interval (col. 3, line 67 – col. 4, line 10).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the security system of Schreyer in view of Searle with the components necessary to implement the system within a motor vehicle, as taught by Winner.

The motivation would be with the reasonable expectation that it would result in enabling a vehicle owner to reduce the possibility of the permanent loss of their vehicle in the event of a carjacking.

As per claim 50, Schreyer in view of Searle teaches *an ~~authorisation~~authorization system as claimed in claim 31.*

Schreyer in view of Searle does not expressly teach *in which the temporal envelope comprises at each of sequential communication intervals a time window of predetermined duration, the apparatus part being responsive to receipt of identifying information from the user part within each time window to provide ~~authorisation~~authorization of the apparatus until the next window and responsive to absence of identifying information to determine cessation of the communication link.*

Art Unit: 2612

Winner teaches wherein *the temporal envelope comprises at each of sequential communication intervals a time window of predetermined duration, the apparatus part being responsive to receipt of identifying information from the user part within each time window to provide ~~authorisation~~ authorization of the apparatus until the next window and responsive to absence of identifying information to determine cessation of the communication link* (col. 7, lines 1-28).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the security system of Schreyer in view of Searle with the components necessary to implement a time window for the receipt of the identification signal, as taught by Winner.

The motivation would be to improve the security system of Schreyer in view of Searle with the reasonable expectation that it would result in ensuring that an extending period of time does not lapse before the security system initiates once it is determined that the owner's property has been stolen.

As per claim 51, Schreyer in view of Searle, and further in view of Winner, further teaches *an ~~authorisation~~ authorization system as claimed in claim 50 in which the apparatus part is responsive to the absence of receipt of identifying information within a predetermined number of consecutive time windows to determine cessation of the communication link* (Winner, col. 7, lines 1-28).

As per claim 52, Schreyer in view of Searle, and further in view of Winner, further teaches *an ~~authorisation~~ authorization system as claimed in claim 50 in which the sequential communication intervals are contiguous* (Winner, col. 7, lines 14-23).

As per claim 57, Schreyer in view of Searle teaches *an ~~authorisation~~ authorization system as claimed in claim 31*.

Schreyer in view of Searle does not expressly teach *in which the user part comprises a plurality of physically discrete modules ~~consisting of~~ comprising a master module operable to effect a said communication link with the apparatus part and at least one supplementary module operable to effect a communication link with the master module, each said supplementary module having associated therewith a specific functional feature of the functioning apparatus, said communication means being responsive to absence of a communication link between a said supplementary module and master module to inhibit function of said feature within the functioning apparatus*.

Winner teaches wherein *the user part comprises a plurality of physically discrete modules ~~consisting of~~ comprising a master module operable to effect a said communication link with the apparatus part and at least one supplementary module operable to effect a communication link with the master module (col. 5, lines 17-21), each said supplementary module having associated therewith a specific functional feature of the functioning apparatus, said communication means being responsive to absence of a communication link between a said supplementary module and master module to inhibit function of said feature within the functioning apparatus (col. 9, lines 5-14)*.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the security system of Schreyer in view of Searle with the components necessary to implement the control of multiple auxiliary components, as taught by Winner.

Art Unit: 2612

The motivation would be to improve the security system of Schreyer in view of Searle with the reasonable expectation that it would result in making the stolen device unusable.

As per claim 58, Schreyer in view of Searle further teaches *an ~~authorisation~~ authorization system as claimed in claim 31*.

Schreyer in view of Searle does not expressly teach *in which the user part comprises a plurality of physically discrete modules ~~consisting~~ of comprising a master module operable to effect a said communication link with the apparatus part and at least one supplementary module operable to effect a supplementary communication link with the apparatus part, each said supplementary module having associated therewith a specific supplementary functional feature of the functioning apparatus not critical to its normal functioning, said communication means being responsive to absence of a communication link between a said supplementary module and the apparatus part to inhibit operation of the associated supplementary functional feature*.

Winner teaches wherein *the user part comprises a plurality of physically discrete modules ~~consisting~~ of comprising a master module operable to effect a said communication link with the apparatus part and at least one supplementary module operable to effect a supplementary communication link with the apparatus part (col. 5, lines 17-21), each said supplementary module having associated therewith a specific supplementary functional feature of the functioning apparatus not critical to its normal functioning, said communication means being responsive to absence of a communication link between a said supplementary module and the apparatus part to inhibit operation of the associated supplementary functional feature (col. 9, lines 5-14)*.

Art Unit: 2612

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the security system of Schreyer in view of Searle with the components necessary to implement the control of multiple auxiliary components, as taught by Winner.

The motivation would be to improve the security system of Schreyer in view of Searle with the reasonable expectation that it would result in making the stolen device unusable.

3. Claims 45-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schreyer in view of Searle as applied to claim 44 above, and further in view of Loeffler et al. (Loeffler; US Patent No. 5,838,074 A).

As per claim 45, Schreyer in view of Searle teaches *an ~~authorisation~~ authorization system as claimed in claim 44*.

Schreyer in view of Searle does not expressly teach *in which the communication means further comprises apparatus transmission means in the apparatus part and user reception means in the user part arranged to effect bi-directional communications between the apparatus part and the user part and the user and apparatus parts each have therein means to produce a further identity reference unique to the pair, the apparatus transmission means being operable to transmit radiation modulated in accordance with said farther identity reference and the user reception means being responsive to receipt of said modulated radiation to confirm existence of a communication link between them*.

Loeffler teaches *in which the communication means further comprises apparatus transmission means in the apparatus part (col. 2, lines 48-49) and user reception means in the user part (col. 2, lines 49-50) arranged to effect bi-directional communications between the*

Art Unit: 2612

apparatus part and the user part (col. 2, lines 52-61) and the user and apparatus parts each have therein means to produce a further identity reference unique to the pair (col. 1, line 66 – col. 2, line 12), the apparatus transmission means being operable to transmit radiation modulated in accordance with said farther identity reference and the user reception means being responsive to receipt of said modulated radiation to confirm existence of a communication link between them (col. 3, lines 36-47).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the security system of Schreyer in view of Searle with the components necessary to implement bi-directional communication between the two components of the system along with a changing security code, as taught by Loeffler.

The motivation would be to improve the security system of Schreyer in view of Searle with the reasonable expectation that it would result in preventing unauthorized individuals from determining the security code, in that, for each time a communication link is established, the security code is different.

As per claim 46, Schreyer in view of Searle teaches *an ~~authorisation~~authorization system as claimed in claim 44.*

Schreyer in view of Searle does not expressly teach *in which said modulation is in accordance with a rolling digital code changed for each transmission.*

Loeffler teaches wherein *modulation is in accordance with a rolling digital code changed for each transmission (col. 6, lines 27-30).*

Art Unit: 2612

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the security system of Schreyer in view of Searle with the components necessary to implement a rolling security code, as taught by Loeffler.

The motivation would be to improve the security system of Schreyer in view of Searle with the reasonable expectation that it would result in preventing unauthorized individuals from determining the security code, in that, for each time a communication link is established, the security code is different.

As per claim 47, Schreyer in view of Searle teaches *an ~~authorisation~~ authorization system as claimed in claim 44*.

Schreyer in view of Searle does not expressly teach *in which said modulation of the transmitted radiation is in accordance with a digital code and in which the communication means is arranged to change at least the carrier frequency of the modulated radiation in accordance with a digital code during communication*.

Loeffler teaches wherein *said modulation of the transmitted radiation is in accordance with a digital code* (col. 3, lines 28-31) *and in which the communication means is arranged to change at least the carrier frequency of the modulated radiation* (col. 4, lines 1-9) *in accordance with a digital code during communication* (col. 3, lines 28-31).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the security system of Schreyer in view of Searle with the components necessary to implement the adjustment of the carrier frequency, as taught by Loeffler.

Art Unit: 2612

The motivation would be to improve the security system of Schreyer in view of Searle with the reasonable expectation that it would result in optimized communication between the components of the system.

As per claim 48, Schreyer in view of Searle, and further in view of Loeffler, further teaches *an ~~authorisation~~authorization system as claimed in claim 47 in which the communication means is arranged to effect a communication link in accordance with the Bluetooth wireless specification* (Schreyer, paragraph [0023], lines 5-7).

As per claim 49, Schreyer in view of Searle teaches *an ~~authorisation~~authorization system as claimed in claim 44*.

Schreyer in view of Searle does not expressly teach *in which at least the identity reference is based upon generation of at least one random or pseudo-random number*.

Loeffler teaches wherein *at least the identity reference is based upon generation of at least one random or pseudo-random number* (col. 3, lines 28-31).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the security system of Schreyer in view of Searle with the components necessary to implement a random code generator, as taught by Loeffler.

The motivation would be to improve the security system of Schreyer in view of Searle with the reasonable expectation that it would result in preventing unauthorized individuals from determining the security code, in that, for each time a communication link is established, the security code is different.

Art Unit: 2612

4. Claims 53 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schreyer in view of Searle as applied to claim 31 above, and further in view of King et al. (King; US Pub No. 2001/0011941 A1).

As per claim 53, Schreyer in view of Searle teaches *an ~~authorisation~~ authorization system as claimed in claim 31*.

Schreyer in view of Searle does not expressly teach *in which the communication means includes a relay part arranged to be disposed, in respect of the communication link, between the user part and apparatus part and wherein at least the user part is arranged to transfer identifying information by way of the relay part in preference to establishing a communication link with the apparatus part directly*.

King teaches wherein *the communication means includes a relay part arranged to be disposed, in respect of the communication link, between the user part and apparatus part and wherein at least the user part is arranged to transfer identifying information by way of the relay part in preference to establishing a communication link with the apparatus part directly* (paragraph [0019], lines 1-16).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the communication path of Schreyer in view of Searle with the components necessary to implement a repeater between the user held transmitter and the receiver implemented within the protected device, as taught by King.

The motivation would be to improve the communication method of Schreyer in view of Searle with the reasonable expectation that it would result in allowing communication between

Art Unit: 2612

the components of the system at a greater range, thereby allowing a user to be aware of the location of their property even if it is not within an immediate distance to them.

As per claim 54, Schreyer in view of Searle teaches *an ~~authorisation~~ authorization system as claimed in claim 53*.

Schreyer in view of Searle does not expressly teach wherein *the communication means is arranged to attempt to establish a communication link including the relay part and in absence thereof to establish a communication like directly between the user part and the apparatus part*.

King teaches wherein *the communication means is arranged to attempt to establish a communication link including the relay part and in absence thereof to establish a communication like directly between the user part and the apparatus part* (paragraph [0021], lines 1-9: if the fob is unable to establish a connection with the repeater because the vehicle has been stolen, the fob still has the ability to access the security system and the garage directly).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the communication method of Schreyer in view of Searle with the components necessary to implement direct communication between the user transmitter and the device receiver in the absence of the repeater, as taught by King.

The motivation would be to improve the communication method of Schreyer in view of Searle with the reasonable expectation that it would result in a user still having the ability to gain entry to their home and garage in the event their vehicle has been stolen.

Art Unit: 2612

5. Claims 55 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schreyer in view of Searle and King as applied to claim 53 above, and further in view of Woolley et al. (Woolley; US Patent No. 5,804,810).

As per claim 55, Schreyer in view of Searle and King teaches *an ~~authorisation~~ authorization system as claimed in claim 53*.

Schreyer in view of Searle and King does not expressly teach wherein *the relay part is arranged to be carried by the user in operation*.

Woolley teaches wherein *the relay part is arranged to be carried by the user in operation* (col. 27, lines 49-53).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the repeater of Schreyer in view of Searle and King with the components necessary to implement the use of a cellular telephone as the intermediary device, as taught by Woolley.

The motivation would be to improve the repeater of Schreyer in view of Searle and King with the reasonable expectation that it would result in allowing the user the flexibility to be mobile while also giving them the ability to extend their range through the use of a mobile repeater.

As per claim 56, Schreyer in view of Searle and King teaches *an ~~authorisation~~ authorization system as claimed in claim 53 in which... is arranged to effect in response to cessation of an existing communication link with the user part of the communication means during functioning of the additional apparatus inhibition of normal functioning after a delaying interval* (Schreyer, paragraph [0027], lines 1-7 & paragraph [0028], lines 1-8).

Art Unit: 2612

Schreyer in view of Searle and King does not expressly teach wherein *the relay part includes additional functional apparatus under the control of the ~~authorised~~ authorized user.*

Woolley teaches wherein *the relay part includes additional functional apparatus under the control of the ~~authorised~~ authorized user* (col. 27, lines 43-53).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the security system of Schreyer in view of Searle and King with the components necessary to implement a relay device with additional apparatuses to be controlled by the user, as taught by Woolley.

The motivation would be to improve the security system of Schreyer in view of Searle and King with the reasonable expectation that it would result in reducing the amount of devices to be carried by the user.

6. Claim 59 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schreyer in view of Searle as applied to claim 31 above, and further in view of Leyden et al. (Leyden; US Patent No. 6,700,488 B1).

As per claim 59, Schreyer in view of Searle teaches *an ~~authorisation~~ authorization system as claimed claim 31... includes apparatus operation initiation means operable to permit initial operation of the apparatus* (Schreyer, paragraph [0025], lines 4-10 & paragraph [0026], lines 1-5).

Schreyer in view of Searle does not expressly teach wherein *the apparatus part of the communication means is arranged to be removably carried by the apparatus in functioning.*

Art Unit: 2612

Leyden teaches wherein *the apparatus part of the communication means is arranged to be removably carried by the apparatus in functioning* (col. 2, lines 34-44).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the security system for portable devices of Schreyer in view of Searle with the components necessary to implement a removable security device with the portable device, as taught by Leyden.

The motivation would be to improve the security system of Schreyer in view of Searle with the reasonable expectation that it would result in allowing a user to interchange the security device between different portable devices.

7. Claim 60 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schreyer in view of Searle as applied to claim 31 above, and further in view of Johnson (US Patent No. 5,986,543).

As per claim 60, Schreyer in view of Searle teaches *an ~~authorisation~~ authorization system as claimed in claim 31*.

Schreyer in view of Searle does not expressly teach the *apparatus having a telephone communication ability, in which the apparatus part is operable during said delaying interval to effect a telephone call to a predetermined recipient*.

Johnson teaches an *apparatus having a telephone communication ability, in which the apparatus part is operable during said delaying interval to effect a telephone call to a predetermined recipient* (Fig. 7, col. 13, lines 51-54).

Art Unit: 2612

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the security system of Schreyer in view of Searle with the components necessary to implement telephonic capabilities, as taught by Johnson.

The motivation would be to improve the security system of Schreyer in view of Searle with the reasonable expectation that it would result in enabling the notification of the proper individuals in order to reduce the possibility of permanent loss of the owner's items.

Response to Arguments

Applicant's arguments with respect to claims 31, 38-41 and 43-60 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2612

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NAOMI SMALL whose telephone number is (571)270-5184.

The examiner can normally be reached on Monday-Friday 9:30 am - 6:00 pm est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer Mehmood can be reached on 571-272-2976. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/NAOMI SMALL/
Examiner, Art Unit 2612

/Jennifer Mehmood/
Acting SPE of Art Unit 2612
September 22, 2011